

Appendix

- ▶ *State and Federal Comments*
- ▶ *Local Comments*
- ▶ *Proposed Management Structure*
- ▶ *Revised Text: Braddock Bay Habitat*

State and Federal Agency Comment Letters
Received on Town of Greece Draft Local
Waterfront Revitalization Program



DEPARTMENT OF STATE

George E. Pataki
Governor
Alexander F. Treadwell
Secretary of State

Division of
Coastal Resources
41 State Street
Albany, NY 12231-0001

March 14, 2000

Mr. Ronald R. Sassone, AICP
Senior Planner
Town of Greece
1 Vince Tofany Boulevard
Rochester, New York 14616

Re: Town of Greece Local Waterfront Revitalization Program 60-Day Review, the Final Environmental Impact Statement, and Next Steps to Completion.

Dear Ron:

Enclosed are copies of the comment letters we have received from State and Federal agencies regarding the Town of Greece Draft LWRP as a result of the 60-Day Review initiated by the Department of State. There are twelve State agency comment letters and one Federal agency comment letter. As you can see some are substantive and others are not.

In order to address the comments in an organized fashion and to comply with SEQRA, the next step is for the Town to prepare a Final Environmental Impact Statement (FEIS). The format and content for preparation of a FEIS is laid out fairly succinctly in the State's SEQRA Regulations (6 NYCRR Part 617). However, to supplement the SEQRA Regulations, I have also enclosed a copy of a FEIS that was prepared for the Village of North Tarrytown as an example (the Village has subsequently changed its name to the Village of Sleepy Hollow). In addition, I have enclosed an example SEQRA Notice of Completion of FEIS from the Village of North Tarrytown.

As I recall, The Cavendish Partnership has agreed to assist the Town in formally responding to the comments on the Draft LWRP; primarily involving preparation of the

Mr. Ronald R. Sassone, AICP

March 14, 2000

Page #2

FEIS. As a suggestion, I propose that before the LWRP Advisory Committee meets to discuss the comments received, that you (and perhaps other Town staff), Don Naetzker, and me either meet or have a conference call to go over the comments and discuss how to respond to them. At the same time we might also discuss the next steps for completion of the LWRP and my other comments (see below) regarding the Draft LWRP document. For what ever its worth, I will be attending the Irondequoit Bay Coordinating Committee (IBCC) Meeting on March 23rd to be held in the Irondequoit Town Hall from 8:30 AM to approximately 11:30 AM. If you would like to get together for a meeting either after the IBCC meeting or the following day, Friday, March 24th, that would be a possibility. Let me know what you would like to do.

In reviewing the Draft LWRP document, I have some additional comments to offer:

1. I am concerned that the Local Waterfront Revitalization Area Boundary for Lake Ontario proposed in Section I, does not correspond to the State's Coastal Area Boundary. I have enclosed a copy of the State's Coastal Area Boundary Map that pertains to Greece. This map identifies the present inland limit of the State's Coastal Area Boundary as it applies to the Town of Greece.

As I reviewed the LWRP Boundary description in Section I of the LWRP, it did not seem to follow the existing State Coastal Area Boundary. In fact, it would appear that an area around Buttonwood Creek has been excluded in the LWRP Boundary description. (I've marked this area with a yellow highlighter on the enclosed State Coastal Area Boundary Map.) This, and the entire Lake Ontario Boundary needs to be carefully checked and verified. Because of the scale of the map in the LWRP, I am not able to clearly identify roads, rights of way, and other reference points to compare the LWRP Boundary to the State Coastal Area Boundary.

It has been my understanding that the Town is not intending to propose a change to the State's Coastal Area Boundary for Lake Ontario. At least I do not recall that matter ever coming up as part of the discussions that occurred at meetings I attended. Please verify this matter with me.

If the Town does intend to propose a change to the State's Coastal Area Boundary,

Mr. Ronald R. Sassone, AICP

March 14, 2000

Page #3

and since Section I of the Draft LWRP did not state this, it may be necessary re-notify State and Federal agencies of this fact, and allow them to comment on it during an additional review period. (I am hoping you are going to tell me that the Town is not intending to amend the State Coastal Area Boundary, and that the LWRP Boundary on the LWRP Maps is the only thing that may need to be changed.)

2. Henpeck Park does not appear to be identified on any of the maps in the LWRP, other than the Henpeck Park Master Plan schematic included on page 98.
3. Braddock Bay and Salmon Creek have been designated as Coastal Fish and Wildlife Habitats of Statewide Significance. I have enclosed a copy of the Habitat Narrative for this habitat, which describes and maps its location, fish and wildlife values, and includes an impact assessment section describing activities that may impact the habitat. There is a specific format for incorporating this information into Section II and III the LWRP. Enclosed is my proposed rewrite of the Fish and Wildlife portion of Section II and Policy 7 of Section III in order to comply with this format. In addition, the entire Habitat Narrative and map should be appended to the Inventory and Analysis Section.
4. On page 93, under the section entitled Navigation Ways, the statement is made that "[a]lthough the channel from Long Pond and Lake Ontario is not currently maintained (dredged) by the Town it is a navigation channel used by local residents and should be considered in a local or regional dredging plan." I thought that this channel was maintained (dredged) by the Town.
5. Section Six of the LWRP is missing at least one important element: a description of the "Management Structure to Implement the LWRP." The four main elements of this section of any LWRP should be: (1) Local Laws and Regulations Necessary to Implement the LWRP (this subsection can be further broken down into "Existing Local Laws and Regulations; and Proposed Local Laws and Regulations); (2) Other Public and Private Actions Necessary to Implement the LWRP; (3) Management Structure to Implement the LWRP; and (4) Financial Resources Necessary to Implement the LWRP.

Mr. Ronald R. Sassone, AICP

March 14, 2000

Page #4

While Section Six does include a detailed description of four new proposed waterfront-related zoning districts in order to implement the LWRP, Section Six would be enhanced with a description of any existing local laws and regulations that will serve to implement the LWRP. For instance, if the Town is participating in the National Flood Insurance Program and has a Flood Damage Prevention Law, that law will serve to implement flood-related policies of the LWRP and should therefore be briefly described in Section Six. Are there other existing local laws, other than the Zoning Regulations, that serve to implement the LWRP? If so, they should be briefly described in Section Six. Listing and describing all existing local laws that serve to implement the LWRP in Section Six is important for consistency purposes, as other agencies can be held to the relevant standards contained in these local laws through the consistency benefits afforded to LWRPs through the State Coastal Act and the Federal Coastal Zone Management Act.

With respect to proposed local laws (including amendments to existing local laws and regulations) that are proposed for implementation of the LWRP, the Town will also need to adopt a LWRP Consistency Review Law. As we've discussed before, all communities with approved LWRPs are required to have a LWRP Consistency Review Law. There are slightly different ways to construct LWRP Consistency Review Laws, depending on what sort of local management structure the Town of Greece wishes to use. I have enclosed three example consistency review laws that the City of Little Falls was considering - before they decided on one of them. Each version of the enclosed example consistency review laws proposes a slightly different process and management structure for review of actions for consistency with the LWRP. The Town will need to decide on its own process and management structure and draft a consistency review law that fits that process. I would be glad to assist with the preparation of a consistency review law. Please let me know how I may help in this regard.

With respect to the portion of Section Six which describes the management structure to implement the LWRP, I have enclosed a copy of what the Village of Sleepy Hollow used in their LWRP. It gives an idea of what's needed for this portion of Section Six. I am more than glad to assist with the preparation of this portion of Section Six, however, the Town must first decide what sort of

Mr. Ronald R. Sassone, AICP

March 14, 2000

Page #5

management structure and process is desired for consistency review of local, state, and federal projects.

Please note that at the end of the enclosed management structure section example from the Village of Sleepy Hollow, there are two subsections that I have marked with red pen that must be included verbatim at the end of Section Six of the Town of Greece LWRP. These two subsections are entitled: "Procedures for Reviewing State and Federal Actions" - - "Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs Are In Effect"; and "Procedural Guidelines for Coordinating New York State Department of State and Local Waterfront Revitalization Program Consistency Review of Federal Agency Actions".

I look forward to working with you and Don Naetzker on completing the LWRP for the Town of Greece and moving it to local adoption and approval by the NYS Secretary of State.

Please call me if you have any questions and if you would like to establish a meeting while I am in the Rochester area attending the IBCC meeting on March 23rd. My telephone number is (518) 473-2472 and my e-mail address is jbeach@dos.state.ny.us

Sincerely,

A handwritten signature in black ink that reads "JEFF BEACH". The letters are stylized and slanted to the right.

Jeffrey D. Beach
Coastal Resources Specialist

cc: Don Naetzker, The Cavendish Partnership

New York State Department of Environmental Conservation
Division of Environmental Permits, Room 538
50 Wolf Road, Albany, New York 12233-1750
Phone: (518) 457-2224 • FAX: (518) 457-7759
Website: www.dec.state.ny.us



February 3, 2000

Charles T. McCaffrey, Jr., Chief
Bureau of Local and Regional Programs
Division of Coastal Resources and Waterfront Revitalization
New York State Department of State
41 State Street
Albany, NY 12231-0001

DEPARTMENT OF STATE
COASTAL PROGRAMS

FEB 07 2000

RECEIVED

Re: Draft Town of Greece LWRP

Dear Mr. McCaffrey:

The Department of Environmental Conservation has completed its review of the proposed Local Waterfront Revitalization Program for the City of New Rochelle and offers the following comments:


1. Policy 13. Preference should be given to non-structural alternatives and alternatives which minimize impacts to or loss of littoral zone, the highly productive aquatic habitats in the near shore waters of Lake Ontario and its embayments (Policy 17).
2. Page 30. The number, and area for, docks at the facility must not exceed that stated in the January 13, 1983 agreement signed by the Town of Greece and the Department.
3. Map pg. 44 should identify the Structural Hazard Area.
4. Page 50. Water Quality discussion should include explanation of stormwater run-off controls and development practices of Town.
5. Page 93 - Special Harbor Areas. the two areas identified within Braddock Bay are, or close to, the carrying capacity for those areas. Any significant expansion of the use of these areas for dockage will be difficult to justify.
6. Page 93 - Dock Ordinance. It should be included as an appendix.



7. Policy 7 - Dredging Plan & graphic entitled Project Recommendations. Is the plan to provide dredged navigation channel from the outlet to the Ontario State Parkway? If so, this is contrary to the Department consent order with the Town of Greece.
8. The LWRP appears to conflict with itself in that it promotes waterfront use and development but elsewhere recommends low impact activities in similar areas.

Thank you for the opportunity to provide comments. If you have any questions or require further information, please contact Tim Cooke at 457-2224.

Sincerely,


William R. Adriance
Chief Permit Administrator

cc: R. Shearer
T. Cooke

C:\Cooke\McCaffrey.trc/P



JOSEPH J. SEYMOUR
COMMISSIONER

EDMOND F. SCHORNO
FIRST DEPUTY COMMISSIONER

STATE OF NEW YORK
EXECUTIVE DEPARTMENT
OFFICE OF GENERAL SERVICES
MAYOR ERASTUS CORNING 2ND TOWER
THE GOVERNOR NELSON A. ROCKEFELLER EMPIRE STATE PLAZA
ALBANY, NEW YORK 12242

DALE R. KELLEY
DEPUTY COMMISSIONER
REAL PROPERTY MANAGEMENT
AND DEVELOPMENT

JB

January 26, 2000

Mr. Charles T. McCaffrey, Jr.
Chief
Bureau of Local and Regional Programs
Division of Coastal Resources
New York State Department of State
41 State Street
Albany, New York 12231-0001

DEPARTMENT OF STATE
COASTAL PROGRAMS

JAN 31 2000

RECEIVED

Dear Mr. McCaffrey:

Thank you for the opportunity to review the Town of Greece Local Waterfront Revitalization Program.

As successor to the sovereignty (The Crown of Great Britain), all beds of navigable water bodies and courses not previously conveyed by the sovereign were vested in the People of the State of New York, along with the public trust, pursuant to Article 2, Section 4 of the Public Lands Law. This is administered by the Office of General Services (OGS).

OGS would like to provide the following comments:

- In the Section on State Actions and Programs Likely to Affect Implementation, under the Office of General Services, the following should be added:
 - 1.0 (Add underlined text to 1.0) Administration of the Public Lands Law for acquisition and disposition of lands, grants of land and grants of easements of land under water, including residential docks over 5000 square feet and all commercial docks, issuance (etc.)
 - 4.0 Administration of Article 5, Section 233, Subsection 5 of the Education Law on removal of archaeological and paleontological objects under the waters of State water bodies.
 - 5.0 Administration of Article 3, Section 32 of the Navigation Law regarding location of structures in or on navigable waters.

JB

Mr. Charles T. McCaffrey, Jr.

-2-

January 26, 2000

- Lake Ontario and the Erie Canal, both used for shipping and navigation, may contain shipwrecks and other cultural and historic artifacts. Consultation with the Office of Parks, Recreation and Historic Preservation (OPRHP) and the State Museum could determine if there are recorded wrecks or artifacts. Policy 23 and possibly the recreational policies could include recognition of the existence or potential for submerged resources and the substantial economics benefits these resources can provide to local economy as heritage tourism and sport diving attractions. The State has an interagency Ad-Hoc Committee for Submerged Cultural Resources which is responsible for establishing shipwreck preserves (such as the radeau Land Tortoise in Lake George) as well as preservation considerations for such resources.

The Committee is comprised of OGS, OPRHP, the New York State Museum, the Department of Environmental Conservation, and the Department of State, Division of Coastal Resources.

If you have any questions concerning this information, please contact Mr. Robert J. Stapf, Chief of our Bureau of Land Management at (518) 474-2195.

With best regards,


Dale R. Kelley

cc: Honorable Alexander F. Treadwell
Honorable John Auberger, Supervisor, Town of Greece
Commissioner Joseph J. Seymour
Robert J. Stapf



Bernadette Castro
Commissioner

New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

January 24, 2000

DEPARTMENT OF STATE
COASTAL PROGRAMS

JAN 26 2000

RECEIVED

Mr. Ronald Sassone, Senior Planner
Town of Greece
Department of Development Services
1 Vince Tofany Boulevard
Rochester, New York 14616-5016

Dear Mr. Sassone:

Re: Draft Local Waterfront Revitalization Plan
T/Greece, Monroe County
99PR4205

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) for the project noted above. Because the Coastal Zone Management (CZM) Program is administered by the New York State Department of State (DOS) pursuant to federal legislation and mandate, we have reviewed the materials you submitted under Section 106 of the National Historic Preservation Act of 1966 in our role as the State Historic Preservation Office (SHPO). Based on this review, the SHPO is pleased to provide the comments below.

1. Some of the information regarding historic resources is not accurate. For example, the document states "There are no officially designated historic sites or structures in the Town of Greece" and "an ordinance and local designations must be in place in order to nominate structures for the State of (*sic*) National Register" (p. 33).

The Mother of Sorrows Church (now the Paddy Hill Library) is listed in both the New York State and National Registers of Historic Places. Local designation is not a prerequisite for listing in either the State or National Register.

The SHPO/OPRHP identifies properties that are eligible for listing in the National Register of Historic Places as part of its review of more than 4000 state and federal projects annually. This makes the SHPO/OPRHP the largest state-wide repository of information on the historic status of individual properties and a natural point of contact when questions arise about a property's status. We recommend the final document incorporate this information.

2. One of the most significant resources identified as part of this process is the New York State Canal System, which includes the current New York State Barge Canal, the Erie, "Clinton's Ditch," and all extant publicly and privately-owned predecessors dating back to the first 1730 cut near Utica and all extant associated features (e.g. locks, docks, bridges, and feeders). [Eligibility statement attached.]

The New York State Canal System is an historic resource of the utmost national significance. We feel the final document should reference the importance of its extant components to the Town of Greece, Monroe County, New York State and the Nation, and include measures for their ultimate protection.

3. While the report accurately documents the location of *known* prehistoric sites (p. 33), it inaccurately concludes "it is not likely that other portions of the Town of Greece would yield significant artifacts." There are several important points to remember when considering the issue of archeological sensitivity.

First, it is important to note that the New York State Museum archeological information referenced in the document is a listing of known or identified resources and is *not* static. While one can therefore conclude that a previous find may be an indicator for future similar finds, one *cannot* conclude from an absence of data that a particular area will not yield significant archeological materials. Many areas have not yet been disturbed, or were disturbed as part of projects conducted without the involvement of an archeologist or review by this office or the State Museum.

It is also important to remember that in addition to the State Museum archeological information referenced, a similar repository maintained by SHPO/OPRHP catalogues the archeological information gathered during our review of more than 4000 state and federal projects annually. While we also maintain copies of the State Museum's maps and update them on a regular basis, the Museum does *not* maintain current SHPO/OPRHP information.

This means that the SHPO/OPRHP is the only state-wide repository with accurate information for both data bases, and should always be contacted when there are questions about an area's archeological sensitivity or its potential to yield important archeological materials. We recommend the final document incorporate this information.

The proviso that "due caution must be exercised not to allow new development to proceed anywhere in the town which would irrefutably disturb any site which might contain historical evidence of man's early occupancy of the land in the Town of Greece" (p. 33) is a worthy goal. We commend the Town for incorporating it, and look forward to working with property owners and project sponsors to help you achieve it.


The SHPO appreciates the opportunity to comment on this draft document and looks forward to working with you on important preservation projects in the Town of Greece. Please phone me at 518/237-8643, ext. 3276 with any questions you may have. Using the PR# above will significantly expedite the processing of future submissions for this project.

Sincerely,



Richard M. Lord
Historic Sites Restoration Coordinator

enc:

cc:  Jeffrey Beach, DOS CZM Albany
Albert Butkas, DEC Avon
John Dergosits, Canals Albany

RESOURCE EVALUATION

DATE: 11/29/93 **STAFF:** L. Garofalini

PROPERTY: New York State Canal System **MCD:** Multiple **ADDRESS:**
COUNTY: Multiple
PROJECT REF: _____ **USN:**
NR REF: _____ **Survey REF:**

I. ☐ Property is individually listed on SR/NR.
Name of listing:

☐ Property is a contributing component of a SR/NR district.
Name of district:

II. ☒ Property meets criteria * A,C,D for inclusion in the National/State Register of Historic Places.

☐ Property contributes to a district which meets criteria * _____ for inclusion in the National/State Register of Historic Places.

Post SRB: _____ **SRB date:** _____ **NR application pending**

- * **Criteria for inclusion in the National Register:**
- A.** Associated with events that have made a significant contribution to the broad patterns of our history;
 - B.** Associated with the lives of persons significant in our past;
 - C.** Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possess high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction;
 - D.** Have yielded, or may be likely to yield information important in prehistory or history.

STATEMENT OF SIGNIFICANCE:

The New York State canal system including the 1918 barge system and the extant remains of its predecessors (the Erie, Champlain, Oswego, Genesee, Chemung, Chenango, Black River and related private canals, i.e., Western Inland Navigation, Chenango Extension and Junction Canals) is the most extensive canal system in North America and is of national significance for the pivotal and varied roles which it has played in not only the historical growth and development of New York State and states of the upper midwest, but also of the nation, primarily in areas of transportation, commerce, and engineering.

Since the construction of the first canal in New York State by the Western Inland Navigation Lock Co. in 1792, the canal system has undergone a constant evolution to arrive at its present day configuration as the New York State Barge Canal System. This system represents one of the greatest engineering achievements of the early 20th century, rivaled only by the building of the Panama Canal (1914).

The entire New York State canal system is 525 miles in length and consists of the major extant branches of the state system - the Erie, the Champlain, the Oswego and the Cayuga and Seneca canals, which since the creation of the Barge Canal in 1918, have been combined to provide an uninterrupted homogeneous navigation system linking the Atlantic Ocean with the Great Lakes and Lake Champlain via the Hudson River. The Erie is the main line and stretches across the state from Waterford (opposite Troy on the west bank of the Hudson River) to Tonawanda and Buffalo on the Niagara River; the Champlain runs north near the easterly boundary of the state from Waterford to Whitehall, at the southern end of Lake Champlain; the Oswego, from a point near Syracuse, connects the Erie canal with Lake Ontario; and the Cayuga and Seneca Canal, which leaves the Erie west of Syracuse, runs southward, connecting with Cayuga and Seneca lakes. The Hudson River links the entire system to the Port of New York and the Atlantic Ocean.

The significance of the Barge Canal's predecessors cannot be overstated, as all contributed to the establishment of an inland navigation system that spanned New York State, thereby securing New York City's position as the nation's leading Atlantic port and center of trade and commerce, as well as fixing upstate New York's geographic development patterns. The Western Inland Navigation Lock Company's construction of locks around the rapids in the Mohawk River at Little Falls (1792) was the first attempt to create a reliable water route into the state's western frontier territories. The construction and elaboration of the canal system between 1817 and 1862 [Old Erie Canal (1817-35), Old Champlain Canal (1819-1918), Enlarged Erie Canal (1836-1905), as well as the lateral canals; i.e., Oswego, Black River, Genesee, Chemung, Chenango, Junction Canal, Chenango Extension Canal, Cayuga and Seneca, Crooked Lake] allowed New York state to capture and maintain the largest share of east-west traffic in the country. By giving New York the first viable trans-Allegheny route to the interior, the Erie Canal and the Enlarged Erie allowed New York City in the second quarter of the 19th century to quickly and decisively eclipse the then-larger ports of Boston, Newport, Philadelphia and Baltimore to become the pre-eminent center for trade and commerce on the eastern seaboard; the canal's continued utility for the shipment of bulky, low-cost goods helped New York to maintain its edge over its rivals despite the development of rail, road and air connections to all these cities in the 19th and 20th centuries.

The New York State canal system and its predecessors satisfy National Register Criteria A, C and D with significance in the categories of: Architecture, Archaeology, Commerce, Community Planning and Development, Economics, Engineering, Settlement, Industry, Maritime History, Politics/Government, Social History, Recreation and Transportation. Additional categories of significance may be revealed in future research.

Under Criterion A the canal system is significant for the central role it has played in the 19th and 20th century growth and development of New York State and the states of the upper midwest as well as for its impact on the development of civil engineering as a distinct profession and the development of engineering techniques in the United States.

Under Criterion C the canal system is significant as a distinguished navigation system incorporating a broad range of engineering features and the specific canal-related property types which evolved throughout the period of significance.

Under Criterion D the canal system is significant for its archaeological potential to yield important information on early engineering techniques, transportation corridors, maritime and social histories.

Assuming adequate integrity (according to National Park Service standards), any canal-related feature is considered potentially eligible as a contributing component to this significant historic resource. Contributing features of the canal system include, but are not limited to, any and all built engineering features such as channels, prisms, locks, dams, aqueducts, bridges, towpaths, retaining walls, berm banks, turning basins, feeders, weighlocks, waste weirs, culverts as well as navigational aids (i.e., lighthouses, buoys), maintenance fleet, boat wrecks, and terminals and/or built structures/buildings associated with the canals, whether publicly or privately constructed or owned.

The Period of Significance established for the New York State canal system begins in 1792 with the construction of the Western Inland Navigation Lock Company and, given that the entire system is still in use today as a navigable waterway, has a floating end date consistent with the National Park Service 50 year threshold. Features less than 50 years old must be considered exceptionally significant.



JB

STATE OF NEW YORK
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

44 HOLLAND AVENUE
ALBANY, NEW YORK 12229-0001
(518) 473-1997 • TDD (518) 474-3694

January 12, 2000

Mr. Charles T. McCaffrey, Jr.
Chief
Bureau of Local and Regional Programs
Division of Coastal Resources
Department of State
41 State Street
Albany, New York 12231-0001

DEPARTMENT OF STATE
COASTAL PROGRAMS

JAN 19 2000

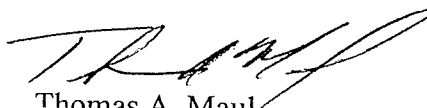
RECEIVED

Dear Mr. McCaffrey:

The Office of Mental Retardation and Developmental Disabilities (OMRDD) has reviewed the Local Waterfront Revitalization Program for the Town of Greece. In its review of this plan, OMRDD does not perceive any conflicts between this plan and existing OMRDD programs and policies.

If you have any questions or additional concerns, please call Alden Kaplan, Deputy Commissioner for Administration and Revenue Support, at 473-1311.

Sincerely,


Thomas A. Maul
Commissioner

TAM/ABK



JB



Louis R. Tomson
Chairman

Nancy E. Carey
Board Member

John R. Riedman
Board Member

John R. Platt
Executive Director

Canal Operations

Matthew P. Behrmann
Director

New York State Canal Corporation

200 Southern Boulevard
Post Office Box 189
Albany, New York 12201-0189

Phone (518) 436-3055
TDD/TTY 1-800-253-6244
Fax (518) 471-5936

January 12, 2000

DEPARTMENT OF STATE
COASTAL PROGRAMS

Charles T. McCaffrey, Jr., Chief
Bureau of Local and Regional Programs
Division of Coastal Resources
Department of State
41 State Street
Albany, NY 12231-0001

JAN 14 2000
RECEIVED

Dear Mr. McCaffrey:

Thank you for the opportunity to review the proposed Local Waterfront Revitalization Program for the Town of Greece.

As you know, the Canal Recreationway Commission completed the Canal Recreationway Plan (Plan) in 1995. The Canal Corporation Board accepted the Plan in September '95 and released the Canal Revitalization Plan the following September. Many of the projects identified in Greece's proposed LWRP are identified in the Plan as local canal projects, and were originally proposed in the ERIE CANAL CORRIDOR PLAN Genesee/Finger Lakes Region released in September 1993.

The Plan specifically identifies the Local Waterfront Revitalization Program as a critically important program to help implement Plan recommendations. Local governments have been encouraged to take advantage of this program, and we applaud the efforts of the Town of Greece.

The proposed development contained in the draft LWRP appears to be consistent with projects identified in the Plan. We urge the Town of Greece to keep the Canal Corporation involved, particularly where use of canal land is proposed and permitting or leasing of such land is necessary. Likewise, if the Town has not done so already, we urge them to obtain a copy of our Signage Design Guidelines.

Regarding the draft Generic Environmental Impact Statement (GEIS) that was prepared for the proposed LWRP, it is noted that the Town concluded that additional or site specific analysis may be necessary. While the Canal Corporation was not requested to comment on the draft GEIS, should future actions involve canal land, the Canal Corporation must be invited to participate as an involved agency. In addition, all SEQRA information should be forwarded to John Dergosits at the above address.



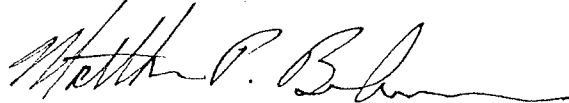
The New York State Canal Corporation is a subsidiary of the New York State Thruway Authority

Charles T. McCaffrey, Jr., Chief
January 12, 2000
Page 2

Concerning the proposed Canal Corridor Overlay District, the Canal Corporation requires permits for any and all use of or work on canal land, and it needs to be clear that the overlay district will not replace or circumvent the Corporation's permitting process.

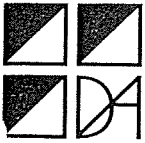
Again, thank you for the opportunity to review the draft report. We look forward to working with the Town of Greece.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew P. Behrmann". The signature is fluid and cursive, with a long horizontal stroke at the end.

Matthew P. Behrmann
Director

cc: Lawrence O'Connor, Buffalo Division Canal Engineer
John Dergosits



Dormitory Authority
State of New York

DEPARTMENT OF STATE
COASTAL PROGRAMS

DEC 08 1999
RECEIVED

Gail H. Gordon, Chair
Thomas J. Murphy, Executive Director

December 7, 1999

Mr. Charles T. McCaffrey, Jr.
Chief, Bureau of Local and Regional Programs
NYS Department of State
Division of Coastal Resources
Albany, NY 12231

Re: Local Waterfront Revitalization Program
Town of Greece

Dear Mr. McCaffrey:

We have completed our review of the referenced document in accordance with your November 24, 1999 letter request and have no comments.

Sincerely,

Frank Vinci
Senior Project Manager

cc: SEQR file

CORPORATE HEADQUARTERS
515 Broadway
Albany, New York 12207-2964
Tel: 518-257-3000
Fax: 518-257-3100

NEW YORK OFFICE
One Penn Plaza, 52nd Floor
New York, New York 10119-0098
Tel: 212-273-5000
Fax: 212-273-5121

BUFFALO OFFICE
539 Franklin Street
Buffalo, New York 14202-1109
Tel: 716-884-9780
Fax: 716-884-9787

WEB
www.dasny.org

Charles A. Gargano
Chairman
and Chief Executive Officer

DEPARTMENT OF STATE
COASTAL PROGRAMS
JAN 13 2000
RECEIVED

Yeo
State of New York
JAN 13 2000
Department of State
Secretary

January 5, 2000

Alexander F. Treadwell
Secretary of State
State of New York
Department of State
Albany, New York 12231-0001

RE: Town of Greece Local Waterfront Revitalization Program

Dear Secretary Treadwell:

In response to Mr. Charles McCaffrey's request for comments on the Town of Greece Draft Local Waterfront Revitalization Program (letter dated November 24, 1999), Empire State Development has reviewed the draft program and supports your approval of it.

The proposed plan is in conformance with the policies of the New York State Coastal Management Program. The plan displays a commitment to increasing public access to the Erie Canal and Lake Ontario shoreline, increasing business opportunities and promoting a recreational environment that will be enjoyed by local residents as well as tourists. The development of proper walkways and parking facilities will increase the recreational activity along the waterfront and benefit the local economy. Improvements to the Greece Port and the promenade along the Erie Canal should provide added opportunities for business development and benefit this historic area.

Thank you for the opportunity to comment on the proposed Draft Local Waterfront Revitalization Program. The plan should improve Greece's waterfront properties and bolster the areas economic activity and beauty.

Sincerely,

Charles A. Gargano

CC: Charles T. McCaffrey, Jr.
Terry Trifari
Anthony Canadé



NEW YORK STATE
OFFICE OF ALCOHOLISM
AND
SUBSTANCE ABUSE SERVICES

1450 Western Avenue
Albany, New York 12203-3526

Jean Somers Miller
Commissioner

DEPARTMENT OF STATE
COASTAL PROGRAMS

DEC 07 1999
RECEIVED
Neil C. Grogin
Associate Commissioner

December 6, 1999

Charles T. McCaffrey, Jr.
Chief
Bureau of Local and Regional Programs
Division of Coastal Resources
NYS Department of State
41 State Street, 8th Floor
Albany, New York 12231-0001

Re: Town of Greece
Local Waterfront Revitalization Program
Draft Report

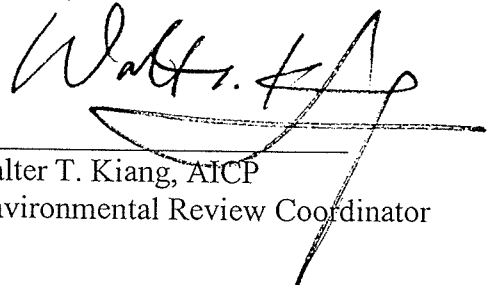
Dear Mr. McCaffrey:

This responds to your letter of November 24, 1999, requesting this Office's comments concerning the above-referenced project.

We have reviewed the proposed Draft Report to the Town of Greece Local Waterfront Revitalization Program and found that it does not conflict with this Office's policies and programs in that locality.

Thank you for providing us with the opportunity to review the proposal.

Sincerely,



Walter T. Kiang, AICP
Environmental Review Coordinator

cc: Jean Somers Miller
Paul Puccio
Neil C. Grogin
Nicolas Colamaria
Nicholas Cristo





JB
THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

Chief Operating Officer
Tel. (518) 474-2547
Fax (518) 473-2827
E-mail: rcate@mail.nysed.gov

December 20, 1999

Mr. Charles T. McCaffrey, Jr.
Chief, Bureau of Local and Regional Programs
NYS Department of State
Division of Coastal Resources and Waterfront Revitalization
41 State Street
Albany, NY 12231-0001

DEPARTMENT OF STATE
COASTAL PROGRAMS
DEC 22 1999
RECEIVED

Dear Mr. McCaffrey:

Staff of the State Geological Survey have had the opportunity to review the Local Waterfront Revitalization Program (LWRP) for the Town of Greece, New York. Based upon their review, I believe the program will have a minimum impact upon existing geologic and hydrologic conditions. Thank you for providing the State Education Department the opportunity to comment on this report.

Sincerely,

Richard H. Cate

JB



James L. Stone, MSW, CSW, Commissioner

44 Holland Avenue
Albany, New York 12229

December 9, 1999

Mr. Charles T. McCaffrey, Jr.
Department of State
Chief, Bureau of Local and Regional Programs
Division of Coastal Resources
41 State Street
Albany, NY 12231-0001

DEPARTMENT OF STATE
COASTAL PROGRAMS

DEC 10 1999

RECEIVED

Dear Mr. McCaffrey:

This is in response to your letter of November 24, 1999 regarding the Local Waterfront Revitalization Program for the Town of Greece.

The Office of Mental Health has only five facilities in the Coastal Management Zone. They are Hudson River Psychiatric Center, Kings Park Psychiatric Center, Manhattan Psychiatric Center, South Beach Psychiatric Center and St. Lawrence Psychiatric Center. Because the Town of Greece does not fall into the boundaries of these psychiatric centers, the Revitalization Program has no effect on our agency.

I have enclosed a list of these five psychiatric centers. I hope you will find it helpful when addressing issues relating to Local Waterfront Revitalization Program. If you require any additional information, please feel free to contact Mr. Michael Labate in our Capital Operations Bureau at 474-1825.

Sincerely,

A handwritten signature in cursive script that reads "Peter C. Brown".

Peter C. Brown
Deputy Commissioner, Administration

Attachment



FACILITY**TOWN****BODY OF WATER**

Hudson River P.C.

New Hyde Park

Hudson River

Kings Park P.C.

Smithtown

Atlantic Ocean

Manhattan P.C.

Manhattan

East River

South Beach P.C.

Staten Island

Atlantic Ocean

St. Lawrence P.C.

Ogdensburg

St. Lawrence River

JB/KM

STATE UNIVERSITY CONSTRUCTION FUND

Edward S. Nelson

Chairman

Francis B. McKenna

Member

Eugene K. Tyksinki

Member

DEPARTMENT OF STATE
COASTAL PROGRAMS
DEC 10 1999
RECEIVED



State University Plaza
Post Office Box 1946
Albany, NY 12201-1946
Tel: (518) 443-5700
Fax: (518) 443-5509

December 8, 1999

Mr. Charles T. McCaffrey, Jr.

Chief

Bureau of Local and Regional Programs

New York State Department of State

Division of Coastal Resources and

Waterfront Revitalization

41 State Street

Albany, New York 12231-0001

Dear Mr. McCaffrey:

In response to your letter of November 24, 1999, regarding the proposed amendment to the Town of Greece Local Waterfront Revitalization Program, please be advised that the State University Construction Fund has no comment[s] with respect to the proposed amendment.

Very truly yours,

Beth A. Perrella

Beth A. Perrella

Executive Assistant to Counsel



New York State Office of Parks, Recreation and Historic Preservation
Western District - Genesee Region
One Letchworth State Park, Castile, New York 14427-1124

716-493-3600
FAX: 716-493-5272
TDD: 716-493-3070

Bernadette Castro
Commissioner

December 22, 1999

Edward Rutkowski
*Assistant Deputy
Commissioner*

Commission Chairman
Peter G. Humphrey

Mr. Ronald Sassone, Senior Planner
Town of Greece
Department of Developmental Services
1 Vince Tofany Boulevard
Rochester, New York 14616-5016

Dear Mr. Sassone:

**Re: Draft Local Waterfront Revitalization Plan
Genesee State Park Region Comments**

This correspondence will serve as our regional response to our review of the Draft LWRP for the Town of Greece. We appreciate the opportunity to participate as a member of the Lake Ontario Focus Group. Our comments include, but are not limited to:

- Please recognize New York State Office of Parks, Recreation and Historic Preservation (OPRHP) as a member of the Lake Ontario Focus Group. It appears that an oversight has occurred on the "submitted page".
- The description of the boundary limits appears to exclude the integration of the old Hojack Line as part of the LWRP. This resource would appear to fit into the vision phrases recognizing this a valuable link from the community to the waterfront in the Town as well as the City of Rochester, for Town Residents to enjoy (page 2, chapter 1).
- On page 14 please correct the reference that the Town acquired Braddocks Bay from the State of New York. The other references in this document recognize our 99-year lease agreement. Please correct this oversight.
- Page 52 references the abandoned spur across the Lake Ontario State Parkway. This bridge is owned by Parks and has been surplussed and is scheduled for removal under the Stutson Street Bridge project.
- Page 54 references bicycle routes and the State Office of Parks and Department of Transportation are jointly funding a study to explore opportunities on the Lake Ontario State Parkway. Parks has kept the Town apprised of the status of the study.
- Chapter 5 (page 94) #10 Open Space Plan. State Parks stands ready to participate in any planning for open space in the LWRP area.
- Chapter 5 (page 94)#11 Braddock Ponds Natural Heritage Area & Environmental Center. Please continue to include OPRHP as a participating member of the Master and Park Plan and other initiatives in the future, as we have a vested interest in the stewardship of our properties. We wish to continue the cooperative discussion the Town has fostered with Parks. Please note, however, that the proposed plan requires review and comment from our Resource Management Group in our Albany Office. Thus, the plan contained on page 95 must be viewed as conceptual subject to review and input by the agency.
- Please consider the Hojack Line for a project in the project recommendations for a tie into the existing Route 390 trail.

GENESEE STATE PARK AND RECREATION REGION

Thank you for the opportunity to comment on your draft plan. Please contact David Herring at (716) 493-3602 in the regional Office or Janet Zuckerman (518) 474-0409 in our Albany office if you have any questions.

Sincerely,


Raymond L. Goll
Assistant Regional Director

RLG:DLH:vs

Cc: Edward Rutkowski – Assistant Deputy Commissioner, Western District
Henry Brodowski – Deputy General Manager, Western District
Thomas Lyons/Janet Zuckerman – Environmental Management Bureau
Daniel Kane – Director Resource Management Bureau
Ruth Pierpont – Director Historic Preservation Field Services Bureau
David Herring – Associate Park Engineer
Charles King – Park Engineer
James Slusarczyk – Park Manager
File/Central File



United States Department of the Interior

OFFICE OF THE SECRETARY

Office of Environmental Policy and Compliance
408 Atlantic Avenue - Room 142
Boston, Massachusetts 02210-3334

(ER# 99/1032)

January 26, 2000

Mr. Charles T. McCaffrey, Jr.
Chief, Bureau of Local and Regional Programs
Division of Coastal Resources
New York State Department of State
41 State Street
Albany, NY 12231-0001

DEPARTMENT OF STATE
DEPARTMENT OF COASTAL PROGRAMS
JAN 31 2000
RECEIVED

Dear Mr. McCaffrey:

This is in response to the request for review of the Draft Local Waterfront Revitalization Program (LWRP) for the Town of Greece, Monroe County, New York.

Specific Comments

A single map depicting the location of the Lake Ontario and Erie Canal waterfront revitalization areas within the Town of Greece would be helpful.

The third paragraph on page 45 which begins with, "The Braddock Bay Fish and Wildlife..." seems to be out of place.

General Comments

The Department of the Interior (Department) suggests that more detailed information regarding wetlands in the project vicinity be included in the documentation. The wetlands should be classified by type (i.e., emergent/open water, scrub/shrub, and forested wetlands). The wetland information provided appears to cover only New York State designated wetlands which are generally greater than 12.4 acres or are deemed significant habitats. There are a few isolated wetlands in the LWRP area that are not regulated by New York State. These wetlands, as well as New York State regulated wetlands, are regulated by the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act of 1972, as amended (P.L. 92-500).

Consideration of potential direct and indirect effects of LWRP implementation on the black tern (*Chlidonias niger*) should be evaluated in the waterfront revitalization program plans. This species is considered a species of concern by the U.S. Fish and Wildlife Service and its status is being monitored throughout most of its range. Species of concern do not receive substantive or procedural protection under the Endangered Species Act; however, the Service does encourage Federal agencies and other appropriate parties to consider these species when carrying out projects.

Activities associated with this project may require site-specific environmental review to evaluate the effects of the activities on fish and wildlife resources. Accordingly, these comments do not preclude separate evaluation and comments by the Department which may be necessary pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), or if implementation requires a permit from the U.S. Army Corps of Engineers, pursuant to Section 404 of the Clean Water Act of 1972, as amended (P.L. 92-500). Nor does it preclude additional U.S. Fish and Wildlife Service comments under the Endangered Species Act of 1973 (87 Stat. 884, as amended: 16 U.S.C. 1531 et seq.).

We hope these comments are useful. Please direct any questions to Diane Mann-Klager at (607) 753-9334.

Sincerely,



Andrew L. Raddant
Regional Environmental Officer

Grandview Beach Association

2820 Edgemere Drive
Rochester, New York 14612

November 15, 1999

Ron Sassone, Senior Planner
Town of Greece
1 Vince Tofany Boulevard
Rochester, New York 14616-5016

Dear Ron,

On behalf of the Grandview Beach Association, and myself personally, I would like to thank Supervisor John Auberger, Deputy Supervisor Max Streibel and Councilman James Smith and yourself for allowing me to participate as a member of the Lake Ontario Focus Group for the Town's Local waterfront Revitalization Program. I would also like to mention that if the need ever arises again that the town needs an individual for any committee, that I am available and look forward to such service.

I would now like to turn to the main purpose of this letter which to offer comments in regards to the Draft Local Revitalization Program that has recently been issued by the town.

After reviewing this document with members of our neighborhood and myself, I have noted an inconsistency and a number of other concerns.

The area where I feel there is an inconsistency in the document is stated on page 53. Under the paragraph listing possible other sites for additional parking, it states that "Edgemere Drive could be widened along Cranberry Pond to provide parking. The ROW appears located approx. 15' to the northeast of the existing pavement."

At all the meetings of the focus group, I stated that the road as now configured would lead to problems with the residents parking at their homes. Specifically, from Lowden Point Road to about to 2688 Edgemere, and from 2963 Edgemere to the end of Cranberry Pond, parking would interfere with some resident's driveways leaving little or no space for their own cars. If sidewalks are added as is the norm, residents would end up parking on the sidewalk and/or parking areas. I mentioned this to Don Naetzker of the Cavendish Group at numerous meetings and he stated that this was a concern but he thought that parking only would be along Edgemere in the Long Pond area anyway since Long Pond was designated for active recreation and Cranberry Pond was for passive use. Also if parking is going to be designated for the northeast side of Edgemere Drive in this area further input with the residents in this area is advisable.

The other items we have concerns about involve wording of the policies and or possible additions or changes to such policies.

Policy #17 page 78

What and where are Coastal Erosion Areas and Flood Hazard areas?

-- 2 --

November 15, 1999

Under Flood Hazard Area (page 79), Does relocation of structures apply to only new construction or existing structures? Should state that it does not apply to existing structures?

Policy #35 page 84

Instead of dredging, the policy should be to find a more permanent solution to decrease the amount of dredging. An example could be possible jetties or some other type of permanent structure.

Policy #36 page 85

Policy aims at prevention but policy should be expanded to cover an immediate response mechanism for an inappropriate spill.

Harbor Management Plan page 93

Long Pond Channel should be maintained as a navigation channel for safety of all residents and visitors since the Lakeshore Fire District uses it for launching of their rescue boat.

Finally, at the focus group meeting, Don mentioned on a number of occasions that the area involved in the plan may be physically delineated by the addition of different style of street lights and guard rails (i.e. box rails vs. ribbon rails as is now present). After looking through the document, I did not see anything stating this other than some sort of signage at the east and west ends of the area.

If you have any question regarding this letter, please do not hesitate to call me.

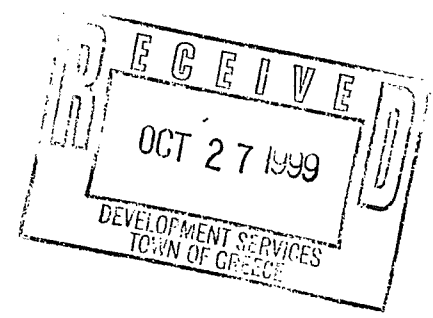
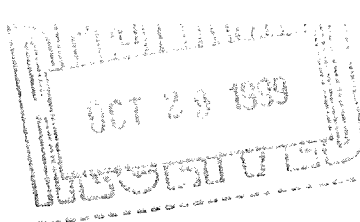
Sincerely,



Dr. Dan Barletta

Co: Supervisor John Auberger
Deputy Supervisor Max Streibel
Councilman James Smith
Jim Schirmer, Grandview Beach Assoc. - President

170 Stone Fence Road
Rochester, New York 14626
October 26, 1999



John T. Auburger, Supervisor
Town of Greece, New York
1 Vince Tofany Blvd.
Rochester, New York 14616

Dear Supervisor Auburger:

John

Since taking advantage of early retirement, I have, with one exception, refrained from speaking out on Town affairs that concern me. Unfortunately, I feel the need to write to you at this time because I believe that realistic land use policies have not been set forth for much of the area included in the Greece Local Waterfront Revitalization Program (or LWRP) Draft Report (specifically, the majority of the land south of the Erie Canal and a segment of the eastern-most portion of the Lake Ontario Area).

The importance of the swath of undeveloped land owned by Kodak in the southern part of Greece has long been acknowledged. The 1992 Town Master Plan recognized the significance of this area by placing almost all of the property in a Planned Development category. Figure 9 in that Master Plan portrayed a wide variety of possible uses for the acreage located there. The Draft LWRP Report, on the other hand, projects only commercial, office or industrial use for virtually all of the land owned by Kodak except for a canal-related center proposed immediately west of Long Pond Road and an unspecified amount of land to be preserved for environmental purposes or for the visual enhancement of historic resources along the canal. This proposal amounts to a recommendation that the Canal Ponds Business Park be replicated west of Long Pond Road. As such, I believe that this perspective is not sound for several reasons.

(1) Overall, Canal Ponds is slightly less than one third developed (32.3%, to be exact). This estimate is based on the 1991 buildout thresholds established by the Town Board (2,950,000 square feet) in comparison with what is shown on the most recent site plan I have seen (dated October 27, 1997), which shows that 951,606 square feet of development has been approved for construction.

(2) Only 13.3 percent of the retail space anticipated for Canal Ponds has been constructed (60,000 of the 450,000 square feet originally contemplated) and that space is now (and for some time has been) unoccupied. Due to the lack of demand for retail development on the scale originally conceived for this part of Greece, it seems highly likely that the land previously rezoned for retail construction will in the future be the subject of a request to allow more industrial development along the east side of Canal Ponds adjacent to 390.

(3) With the pending closure of Kodak's Elmgrove Plant, approximately 5 million square feet of existing, nearby industrial/office floor space will soon be readily available in the Town of Gates. This

floor area is roughly twice the amount originally set aside for industrial and office development in the Canal Ponds Business Park.

With the above in mind and in the absence of any in-depth study of the likelihood that commercial, office and industrial use will truly be viable for as much of the Kodak owned land west of Long Pond Road as projected, I strongly urge you to initiate the commencement of a market feasibility analysis to substantiate the reasonableness of these Draft LWRP recommendations. This should be done before accepting the Final LWRP Report and well in advance of any Master Plan amendments or Zoning Ordinance alterations or, for that matter, before any serious negotiations take place as a result of the Town's desire to acquire this land (a.k.a. KPV and KPY) from Kodak. In my judgment, such an analysis should be undertaken by an independent, objective and uniquely qualified party not associated with the work to date on the LWRP. I would caution that any such effort not be undertaken on the basis of the favorableness of commercial, office and industrial development in this area from a municipal cost-revenue point of view but, rather, from the standpoint that such development will occur to the extent it has been envisioned in the Draft LWRP Report. I believe it is imperative for the Town to follow this approach; to not do so may very well place Greece in the position of fostering public policy flawed at its conception and, ultimately, counter-productive. Indeed, if it is impractical to extend the Canal Ponds development scheme for most of the land between Long Pond and Manitou Roads (which is the thrust of the Draft LWRP Report), it is better to make such a determination at this juncture so that alternate plans can be prepared and costly mistakes avoided.

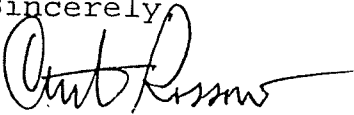
In addition to encouraging you to substantiate the reasonableness of the LWRP recommendations for southern Greece, I also urge you to have the proposals for the Business Enhancement Areas (in the eastern part of the Lake Ontario Area) re-examined as to their practicality. This needs to be done for the following five reasons:

- (1) the type and extensiveness of development in this part of Greece, which includes several long-standing uses that are not apt to be discontinued anytime in the foreseeable future (including RG&E's Russell Station, the County Water Authority's Shoremont Treatment Plant and Kodak's Water Treatment Plant);
- (2) the existence of environmentally sensitive land that is simply not recognized (on the south side of Ling Road adjacent to Slater Creek and west of the former Odenbach Plant on Dewey Avenue);
- (3) the extensiveness of the plan by the City of Rochester to develop a ferry stop and supporting facilities at and near the City's Port in Charlotte;
- (4) the distance of the proposed Business Enhancement Areas in Greece from the Rochester Port; and
- (5) the likelihood that travelers would take a route to reach the uses in the Business Enhancement Areas other than the one predicted in the Draft LWRP Report (along those roads which parallel the lake

shore rather than along Lake Avenue, the Parkway and either Greenleaf Road or Dewey Avenue -- to the detriment of those living along Beach Avenue and Edgemere Drive).

Suffice it to say, in closing, that I fervently hope that you will follow the path I have outlined in this letter in advance of submitting the Draft LWRP Report to the New York Department of State for its review. I think this is especially important since the LWRP Report, once completed, will serve to guide so many future Town decisions. In short, the Town needs more detailed and substantial documentation than has heretofore been provided to bring proper closure to the process under way.

Sincerely,



Curt Rossow

✓ xc: Gary Tajkowski, Director of Development Services